

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

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No. 6:19-cv-00435

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**Debra Christian,**

*Plaintiff,*

v.

**Buckingham Oil Company Inc., et al.,**

*Defendants.*

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Before BARKER, *District Judge*

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**ORDER**

Plaintiff, proceeding *pro se*, initiated this property dispute on September 24, 2019. Doc. 1. The case was referred U.S. Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636(b). Doc. 3. On January 2, 2020, defendant M-C Production Drilling Co. brought a motion to dismiss all asserted claims for lack of subject matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1) and for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6). Doc. 19.

On January 22, 2020, Judge Love issued a report and recommendation that defendant's motion be granted and that this action be dismissed without prejudice for lack of subject matter jurisdiction. Doc. 20.

A copy of this report and recommendation was served on defendant via the court's CM/ECF electronic filing system and served on plaintiff via certified mail. Plaintiff acknowledged receipt of the report and recommendation on January 25, 2020. Doc. 21. Neither party has objected and the timeframe for doing so has passed. The court therefore reviews the magistrate judge's findings for clear error or abuse of discretion and reviews his legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Having reviewed the magistrate judge's report and recommendation, the court finds no clear error or abuse of discretion and no conclusions contrary to law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc). Accordingly, the report and recommendation (Doc. 20) is **adopted**. Defendant's motion (Doc. 19) is **granted**. Plaintiff's claims are **dismissed** without prejudice for lack of subject matter jurisdiction.

*So ordered by the court on February 13, 2020.*



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J. CAMPBELL BARKER  
United States District Judge